# In the United States District Court for the Southern District of Georgia Waycross Division

BENJAMIN EUGENE ISAAC,

    Plaintiff,

    v.

GREGORY DOZIER, et al.,

    Defendants.

CV 524—033

## ORDER

Plaintiff initiated this action on May 9, 2024. See Dkt. No. 1. On March 10 and April 25, 2025, Defendants moved to dismiss the complaint. Dkt. Nos. 19, 24. Then, on April 21, 2025, Plaintiff moved the Court for leave to file an amended complaint. Dkt. No. 25. The Court recently granted the motion. Dkt. No. 29. Plaintiff then timely filed his amended complaint. Dkt. No. 30. For the reasons below, Defendants' motions to dismiss are **DENIED as moot.**

## LEGAL STANDARD

Under Rule 15 of the Federal Rules of Civil Procedure, a party may amend its pleading with the court's leave. Fed. R. Civ. P. 15(a)(2). An amended pleading "supersedes the former pleading" such that "the original pleading is abandoned by the amendment, and is no longer a part of the pleader's averments

against his adversary." *Dresdner Bank AG v. M/V Olympia Voyager*, 463 F.3d 1210, 1215 (11th Cir. 2006) (internal quotation marks and citation omitted); *see also Fritz v. Standard Sec. Life Ins. Co.*, 676 F.2d 1356, 1358 (11th Cir. 1982) ("Under the Federal Rules, an amended complaint supersedes the original complaint.").
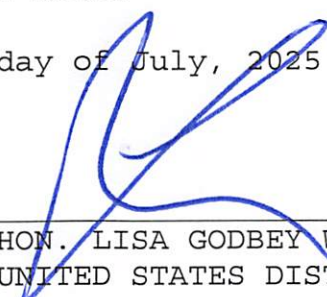
## DISCUSSION

Plaintiff sought and received the Court's leave to file his amended complaint pursuant to Rule 15(a)(2). Further, Plaintiff's amended complaint supersedes his original complaint. Defendants' motions to dismiss the original complaint, dkt. nos. 19, 24, have thus been rendered moot by Plaintiff's filing of his amended complaint. Should Defendants wish to renew their motions with regard to the amended complaint, they may do so within the time prescribed by the Federal Rules of Civil Procedure.

## CONCLUSION

Defendants' motions to dismiss the original complaint, dkt. nos. 19, 24, are **DENIED as moot**.

SO ORDERED, this 28 day of July, 2025.

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HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA